

STATE EMERGENCY RESPONSE COMMISSION

State Emergency Response Commission Meeting Minutes June 8, 2005

Secretary David B. Mitchell – DSHS	Jim Kenney – NCC LEPC
Jamie Turner – DEMA	Rick Antoff – DNREC
John R. Peirce – Water Transportation	Pam Meitner – USER of Haz Mat
Gene Donaldson – DelDOT	Bob Barrish – NCC LEPC
Robert P. Newnam – Delaware State Fire School	Grover P. Ingle – State Fire Marshal Office
George Giles – Wilmington LEPC	Jim Cabbage – DVFA
Jim Werner – DNREC	Robert Pritchett – DNREC-EPCRA
George Yocher – DPH	Tedd Winneberger – Sussex EMS
J. Allen Metheny, Sr. – Kent County LEPC	James Lee – Consignees
Bill McCracken – New Castle County LEPC	Arthur D. Paul – DEMA
Bruce Ennis – DVFA	Rhesa Townley – DEMA
Ellen Malenfant – DNREC	Matt Hidek – Guest from Syracuse University
Ralph Baker – SERC	
David Irwin – NCC LEPC	

The June 8, 2005 meeting of the State Emergency Response Commission (SERC) was called to order at 9:05 a.m. by Mr. Jamie Turner, DEMA Director, who chaired the meeting. Director Turner made opening comments and explained that the SERC Chairman, Secretary Mitchell was attending an Emergency Preparedness Response for Individuals with Disabilities and Special Needs Conference at the Dover Sheraton; and would try to attend the meeting late. The attendees introduced themselves and a quorum was available. The March 9, 2005 meeting minutes were approved, as written, following a motion made by Rep. Bruce Ennis and seconded by Mr. John Peirce.

STANDING COMMITTEE REPORTS

Finance and Budget Committee – Mr. Robert Pritchett

Summary of SERC Finances as of 6/1/05 (for accounts at DNREC):

SERC Fee Holding Account:

Carryover from 2004 calendar year	+ \$ 228,561
Fees collected thus far during 2005	+ \$ 283,270 (a)
Projected reimbursements thus far (as of 6/1/2005)	- \$ 2,080 (b)
Interest received thus far during 2005 (first 4 months)	+ \$ 3,067 (c)

Account balance as of 6/1/2005	\$ 512,818

Notes:

- a) Additional fees may be received as we continue follow-up activities on the 2004 Hazardous Chemical Inventory (Tier II) reports due 3/1/05.
- b) Additional reimbursements necessary to facilities will likely be identified as we continue processing the 2004 Tier II reports. (Final reimbursements for reporting errors in 2004 totaled \$1,960.)
- c) Interest will continue to accumulate. (Total interest accumulated in 2004 was \$3,649.)

Decon Trailer Replacement Account:

Carryover from 2004	+ \$ 56,529
Interest received thus far during 2005	+ \$ 554

Balance as of 6/1/2005	\$ 57,083

HMEP Grant Review – Mr. Arthur Paul

The FY 2005 Hazardous Materials Emergency Preparedness (HMEP) Grant budget projections are presented below. All amounts listed represent dollars.

HMEP PLANNING – FY 2005

Proposals: None

Approved and Pending Items:

	<u>Planning</u>	
Balance as of 06/01/05		25,337.71
Pending Items:		
Kent County LEPC refreshments meetings @100		54.17
SERC meetings refreshment quarterly (200.00) start		134.77
NCC LEPC Joe Leonetti, attend Fire Chief HazMat Seminar June 2005		850.00
Kent County Request funds Dave Mick Fire Chiefs HazMat Seminar June 2005		1,000.00
Arthur Paul Regional Response Team Meeting May 2005		151.00

Total Pending Items		2,189.94
Projected Planning Balance		23,147.77

HMEP TRAINING – FY 2005

Proposals: None

Approved and Pending Items:

<u>Training</u>	
Balance as of 06/01/05	40,169.45
Pending Items:	
Kent County Decon team HazMat tech course for 15-20 (fire school)	2,000.00
DNREC ERB HazMat tech training 28 people (fire school) Ref 25-Init 3	12,700.00
DNREC EPCRA group new staff trn course Washington DC	1,650.00
DelDOT funds HazMat Awareness Trn 350personnel, Fire School \$500 per 50	3,500.00
NCC LEPC funds support Industrial HazMat April-2005 /Supercard billing	340.54
Total Pending Items	20,190.54
Projected Training Balance	19,978.91

Mr. Paul referred the attendees to the eligible planning activities in the agenda package and encouraged all to submit funds requests. The funds must be obligated by September 30, 2005 and liquidated by December 31, 2005.

Information and Technology (IT) Committee – Mr. Bob Pritchett

The following is the status of the Tier II Manager System – “We have completed the alpha test phase, and provided comments to the contractor, IDSI. Modifications to the system from the alpha test phase are being completed, and the beta testing phase is tentatively scheduled to take place during a four week period between June 20 and July 22. We should have the final system in place roughly a month after the beta testing phase is completed, but the exact timing will depend on the extent of our comments resulting from the beta test.”

As for the SERC and LEPC Web pages – “There is a State initiative underway to update all web pages for State Agencies, Commissions, etc. so they all have a “common look and feel”. This means they must all have the same basic State header and the same basic layout on the page for informational topics, links, etc. The basic content will not likely be changing unless we identify gaps where additional information should be included... it’s mainly an issue of formatting. The IT Committee is currently investigating ways to update the SERC and LEPC web pages to the new format. We’ll keep the SERC posted as this project moves forward.”

Planning and Training Committee – Mr. Jamie Turner

The Committee met on May 23, 2005 in the Tactical Assessment Center (TAC) of the State Emergency Operations Center. Committee Chairman, Mr. Turner, chaired the meeting and nine people attended. Attendees were given a copy of the agenda and a final draft of the Radiological Incident Response Plan. The following is an overview of the topics that were discussed.

1. SERC Retreat - The Committee discussed dates and times and decided that September 7, 2005 was a good tentative date. Mr. Paul will confirm this date with Secretary Mitchell and if it is good, will survey the SERC membership. Registration and a continental breakfast will start at 8:30 a.m. The condensed SERC meeting will start at 9:00 a.m. followed by updates on the Delaware Emergency Notification System (DENS) and a demonstration of Tier II Manager. The following is a list of topics suggested by committee members:

- Overview Emergency Planning and community Right-to-know Act.
 - DENS Presentation
 - Tier II Manager Presentation
 - Pipeline Safety Presentation (Molly Atkins)
 - Department of Homeland Security (DHS) Update
 - Review Philly Port Coastline protection; info on responsibility & the Marine Incident Response Team (MIRT)
 - Mr. Paul will coordinate the above topics with speakers and provide an agenda to the Committee for review and discussion.
2. Pipeline Safety - Mr. Paul contacted the Pipeline Association for Public Awareness (PAPA) and Molly Atkins, Bridge solutions. After reviewing Phase I and II of our Hazardous Material Transportation Flow Studies Molly made some suggestions which I will resend to the Committee. Because of her insights into pipeline safety, it is recommended that she address the September SERC Retreat.
3. SERT Plan Revision – (At the November 2004 meeting, Art had suggested that the next revision of the SERT Plan should include radiological incident response and after discussion, the Committee decided that rather than wait a couple of years for a revision to the SERT plan, consideration should be given to a page change--Mr. Paul was tasked to draft a revision.) After discussion on a path forward with the final draft of the Radiological Incident Response Plan, the Committee decided that the final draft should be used as a “working copy” and that the final draft (less the informational attachments) would be included in a revision of the SERT Plan following review by the SERC and the SERT.

Decon Trailer Committee – Mr. J. Allen Metheny, Sr.

The DECON Trailer User’s Group met on June 1, 2005 at the Kent County Public Safety Building with all three teams represented. Highlights of the meeting follow:

- We approved the Statewide DECON Trailer User’s Group “Standard Operating Guidelines” (SOG). Copies of the new SOG are at your table. This will be a working document that will be updated as needed and will be reviewed annually.
- The tow vehicles for the trailers have been completed and are now in service. These tow vehicles have been a personal goal of mine for about 4 years. We started out with a \$30,000 budget for each vehicle and ended with a \$151,000 cost for each vehicle. In this case, patience, even if not a lot, paid off. They were funded totally with WMD funds. The Elsmere Fire Company in New Castle County, the Little Creek Fire Company in Kent County, and the Sussex paramedics in Sussex County manage them. I will have one of the vehicles on display at our next meeting. With the receipt of an 18 foot cargo trailer for each team, the DECON operation is very well equipped to provide the necessary decontamination within the State.
- Since the last meeting, the teams have:
 - Responded to 4 emergency incidents.
 - Conducted six training classes or drills.
 - Completed two public appearance/community outreach event.

- The team has provided the final review of the list of equipment and service requests for FY '04 WMD funds. The teams' requests have been approved and hopefully, most equipment has been ordered.
- The team developed the DHS funding request for FY 2005. The list includes equipment for decontamination, communications, personal protection, and a PPE truck for DECON 1 (New Castle). This list has been submitted to DEMA; funding levels approved and hopefully the equipment will be ordered soon.
- We are still waiting for radiological detection equipment funded from the FY 02-03 WMD grants.
- There have been some additional repair costs since our last report. I am awaiting the bills for these repairs.
- Our next meeting is scheduled for September 7, 2005 at 1:30 P.M. Since this meeting date conflicts with the SERC Retreat, Mr. Metheny explained that he would change the date of his meeting to Aug. 31st.

LOCAL EMERGENCY PLANNING COMMITTEE REPORTS

New Castle County – Mr. David Irwin

- Meetings Notes – Two meetings have been held since the last SERC Meeting. One on March 14, 2005 – Hosted by Premcor. Premcor provided a bus tour of the refinery. On May 9, 2005 -- Hosted by Conectiv. Ciba Specialty Chemicals gave presentation on new Sodium Amylate process. A white paper describing the history, purpose, structure and goals of the LEPC work plan was distributed to attendees. The new City of Wilmington Command Vehicle and the Tow Vehicle for the Decon Trailer were on display after the meeting. Each meeting had over 40 attendees.
 - The FY 2006 budget was presented with a grand total requested of \$114,802. This budget is in line with the projections provided the SERC Finance Committee in 2004. The only increase was in the cost of the administrative assistant a county employee whose services are paid at a 50% rate by the NCCLEPC. The consultants' fees remained the same. The FY 2006 Work Plan was presented at the same time. The budget was adopted by unanimous vote and was forwarded to the SERC Finance Committee.
 - Two training sessions have been conducted for NCCIHMR. Basic and advanced air monitoring techniques were presented on Feb. 15th and 17th at Del. Tech Stanton Campus. Each session lasted four hours. The DuPont Edgemore Site sponsored ISO container training on April 5th & 7th. A total of 49 NCCIHMR members participated in the four hour sessions. Mr. A. Stein reviewed the Jan. 6, 2005, North Carolina rail accident where a chlorine release caused six fatalities. LEPC staff attended a meeting sponsored by BP regarding the proposed LNG terminal in New Jersey. Joe Leonetti has reviewed fire and response issues of an LNG terminal.
 - The LEPC is ready for the Tier II Manager implementation. All information is up-to-date and a layer for Tier II facilities in New Castle County, including the City of Wilmington has been created. Members of the NCC EMA office were invited to the most recent IT Committee Meeting to provide input regarding the mapping programs.

- Facility Visits – The on-site assessment program is on track with six assessments conducted this reporting period. There are approximately twenty-six facilities to be assessed before the end of this cycle in June of 2006. Additionally, visited two facilities who had requested a review of their security assessments, reviewed a new process being added to an existing facility and a process that was to be reactivated after being unused for several years. We are noting a strong awareness of security and in cases of companies that have a potential to affect the community impressive improvements in security are being observed.
- HazMat Plan Status – Revisions to the New Castle County Hazardous Substances Plan were sent in the fourth quarter of 2004.
- HazMat Incidents – There have been no major incidents which required the activation of the NCCIHMR.

City of Wilmington – Mr. George Giles

- Meeting Notes – The last meeting of the Wilmington LEPC was held on May 13, 2005 at the Public Safety Building.
 - The LEPC budget is on track. The budget is 70% spent and we're waiting for the end of the fiscal year to see what we can spend on our Outreach programs.
 - The LEPC continues to work with the Anti-terrorism committee
 - The siren system has been tested and it is totally up and running. This system will be used for all hazards and will be a back-up for the DENS. The sirens can be used individually, city-wide, or zone-wide.
 - The Wilmington LEPC has developed a new presentation and is willing to present it to anyone interested in learning more about LEPC.
- Facility Visits – None
- HazMat Plan Status –None
- Exercise Status – The Wilmington LEPC worked with NCC and the Coast Guard on an exercise at the Port of Wilmington in late May. We are scheduled to have a tabletop exercise on July 20th at the Riverfront. This is a terrorism exercise with hazardous materials. The scenario takes place in a school and we are working closely with the Dept. of Education on this exercise. Mr. Giles invited any LEPC or SERC members to come watch their exercise on the 20th. Contact his office for more information.
- HazMat Incidents – None
- Comment - The LEPC sent members to Hunt Valley for the Hazardous Material Response Team Conference last week and great information was gained.

Kent County – Mr. J. Allen Metheny, Sr.

- Meeting Notes – Regular meeting held on May 10, 2005 with 22 members present.

- Provided updates to the members on the following topics: DECON III operations; Tier II reporting and fee collections; budget issues; Delaware Emergency Notification System; the Tier II manager system; and updates to the Kent EOC.
- The Kent County LEPC sponsored another seminar on April 21, 2005. This seminar was held at the Dover Sheraton. The emphasis was ammonia and propane. Afternoon presentations were made on ammonia safety, propane safety, dealing with the media, and on how to request an emergency response to an incident. After dinner, retired Battalion Fire Chief Buzz Melton from the Baltimore City Fire Department presented a program on safety when dealing with hazardous materials incidents. Approximately 95 people attended the seminar along with 4 vendors. We want to thank SERC for your financial support of this event. A review of the feedback forms indicated the seminar was a success. The planning committee will explore the possibility of another seminar in the spring of 2007.
- The LEPC planning committee has recommended that we plan a facility security conference next spring. The LEPC endorsed the committee recommendation. We will be exploring this topic in the next few weeks.
- The budget request for the LEPC for FY 2006 was reviewed. This will be addressed today.
- Facility Visits – None
- HazMat Plan Status – No change.
- Exercise Status – A full exercise was held at Dover Downs International Speedway on April 30th. This was an ODP sponsored program that addressed a WMD Hazmat incident. Despite the heavy rain during the exercise, lessons were learned that will be documented when the after action report is completed. Kent County is also planning a tabletop exercise to be followed by a functional and full scale exercise. These are being planned as a WMD event in or around the Delaware State Fair. This series will be part of Kent County's fulfillment to conduct WMD exercises during the next 3 years. DEMA has contracted with a consultant to assist in the planning of these events.
- HazMat Incidents – No alerts. DECON III participated in the April 30th drill at Dover Downs.
- Comments – The next LEPC meeting will be July 12, 2005 at 10:00am.

Sussex County – No Report

OLD BUSINESS – None

NEW BUSINESS

1. Annual Report FY 2005

Mr. Paul provided the membership with a copy of the FY 2004 Annual report, for review, and reminded everyone that June 30th is the closeout for the FY 2005 report. He welcomed any suggestions and asked Commission members to verify their personal information. Mr. Paul requested that Committees provide inputs July 31, 2005, so that the report can be presented to the SERC prior to approval at the September SERC Retreat.

2. Budget Recommendations for FY 2006

Mr. Paul stated that the Finance & Budget Committee Chairman is Michael Kernan, DE State Fire School. However, he was not involved in the process because of personal reasons and his designated proxy, Steve Martin, represented the Fire School. The other members of the Committee: Representative Bruce Ennis, Ms. Pam Meitner, Mr. Robert Pritchett, and Mr. Paul, HMEP grant administrator.

The Commission decided that the following recommendations would be voted on as one motion. Mr. Paul read each of the following budget recommendations:

1. The City of Wilmington Local Emergency Planning Committee (LEPC) requested \$49,112.00, minimal growth. There was no carryover from last year. The Finance and Budget Committee recommends approving the requested **\$49,112.00**.
2. The New Castle County LEPC requested \$114,802.00, minimal growth. There was no carryover from last year. The Committee recommends approving the requested **\$114,802.00**.
3. The Kent County LEPC requested \$46,710.00, 8% growth (7.7% in salary). The Committee decided to reduce one budget worksheet line item, based on the availability of HMEP grant funds. There was no carryover from last year. The Committee recommends approving **\$45,710.00** for the Kent budget.
4. The Sussex County LEPC requested \$61,126.20, 12% growth (13% in salary). Following inquiries and discussions, the Committee recalculated the salary based on information from the Sussex Personnel Office, and reduced one budget worksheet line item, based on the availability of HMEP grant funds. There is a carryover of \$500.00 from the FY 2005 budget. The Committee did not receive a detailed list of work plan accomplishments, as approved at the June 2004 meeting. Therefore, the Committee recommends approving one quarter (**\$14,734.00**) of the adjusted \$59,134.20 budget pending receipt of the work plan accomplishments.
5. The Decon Trailer Committee requests replenishing the Maintenance and Equipment Account to \$15,000 (approximately \$2,000.00) and setting aside 10% of collected fees (\$28,000) in the Decon Trailer Replacement Account, as approved at the February 2003 SERC meeting. The Committee recommends approval of both requests.

There was a motion made by Rep. Ennis, seconded by Mr. Irwin to adopt the Finance & Budget Committee recommendations.

Discussion/questions on the motion:

- There was clarification on Sussex County receiving one quarter of their budget request now and upon receiving a detailed work plan, the Finance & Budget Committee will review and give the remainder of the approved funds.
- A line item in New Castle County's budget for Professional Services was clarified as being for 2 consultants.

Following discussion, a vote was taken and the motion carried.

Mr. Paul also reviewed the following Committee recommendations which did not require action:

To comply with the Finance Guidelines and the approved audit motion from June 2004, the Committee recommends that SERC funded entities contact their county or city auditors and have the LEPC budget included in the fiscal year audit. If this is not possible consider a private auditor. Please provide a cost estimate for SERC approval and payment, before completing the audit.

The Committee also recommends that the Commission consider a program audit by a special committee of the SERC or an outside agency.

These recommendations were discussed and tabled to be revisited at the SERC Retreat in September.

Other new business – Mr. Giles, Wilmington LEPC, commented that the City is incurring \$20-30 thousand dollars per year in clean-up costs of HazMat incidents. If the federal government is not involved in the response there is no Federal ID# and sometimes it is virtually impossible to track down the responsible party. Any ideas or suggestions would be appreciated on ways to lessen the financial burden.

CLOSING COMMENTS

1. Mr. Turner referenced concerns about facility security. Mr. Turner and Secretary Mitchell recently attended a Homeland Security meeting in Washington D.C. and reported that the National Infrastructure Protection Plan will soon be redefined. Mr. Turner wanted the Commission to be aware that there will likely be requests from emergency managers for input or suggestions.

2. Secretary Mitchell apologized for being late and spoke about the conference for persons with special needs and disabilities. He said, it was well attended by emergency personnel and that Delaware was very well represented. At the Homeland Security meeting in Washington D.C. he said that Delaware is light-years ahead of most states and we can be very proud. Secretary Mitchell stressed that our strength is our partnership and commitment to working together. He thanked the Commission for the work they do.

The next meeting will be on Wednesday, September 7, 2005, prior to the SERC Retreat; the location and agenda will be coordinated with the Commission.

The SERC meeting adjourned at approximately 10:05 a.m.

Following the meeting Mr. Robert Newnam, gave a tour of “Chestnut Grove,” a tabletop diorama of a city, to include: residential areas, airport, beaches, marsh lands, and woods. This diorama has grown over the years and represents the growth of Delaware. Using this diorama, emergency responders can simulate and respond to various types of incidents.